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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,060	07/09/2001	Roger Collins	05545.P001	9276

7590 02/18/2004

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EXAMINER

WAMSLEY, PATRICK G

ART UNIT	PAPER NUMBER
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2819

DATE MAILED: 02/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,060

Applicant(s)

COLLINS ET AL.

Examiner

Patrick G Wamsley

Art Unit

2819

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11,13-19,21 and 24-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11,13-19,21 and 24-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3, 11, 13, 21, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by EP 806,858 to Szlam, hereafter Szlam.

For claim 1, Szlam provides a method comprising the steps of identifying a block of data within an electronic mail message [Szlam's method includes e-mail as well as other data formats] also found in a stored message; generating a pointer [see col. 14, lines 19-32]; replacing the block of data with the pointer [this occurs when Szlam creates a Composite Call Object TM]; and transmitting the message to a wireless device [Szlam lists numerous methods of communication, including wireless] having a stored message [pointers identify data used during prior communication transactions]. Claim 11 restates these limitations in system format. For claim 21, Szlam replaces data blocks with pointers to achieve more efficient transmission of information.

For claims 3, 13, and 24, Szlam decompresses e-mail by inserting blocks of data corresponding to specified pointers.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 4-9, 14-19, and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Admitted Prior Art, hereafter APA, in view of Szlam.

APA is hereby defined as conventional e-mail techniques presented in the disclosure. For claims 4, 14, and 25, prior art e-mail includes subject fields. For claims 5, 15, and 26, conventional e-mail designates responses to previous e-mails [typically with RE:]. For claims 6, 16, and 27, one or more alternate compression techniques are applied to conventional e-mail, as described on pages 2-3. For claims 7, 17, and 28, it's well known to replace common strings with code words; applicant describes LZW compression with pointers on page 3. For claims 8, 18, and 29, conventional e-mails include address domains. For claims 9, 19, and 30, the use of six bits per character appears to be conventional. No critical reason for the selection of this number of bits has been presented.

APA lacks the concept of generating a pointer identifying data blocks in previous e-mails, replacing blocks with that pointer, and then transmitting the message to a wireless device storing the previous e-mails. As described for the 102 rejection above, Szlam provides these features. At the time of the invention, it would have been obvious to one of ordinary skill in the art to have applied Szlam's teachings to APA. The motivation would have been to provide data compression, as described by Szlam on lines 37-48 of column 3.

Response to Arguments

Applicant's arguments filed on 12/22/2003 have been fully considered but they are not persuasive.

First, applicant admits that Szlam discloses transmission of data information. As defined by Szlam, such information clearly includes e-mail [column 11, line 20].

Second, Szlam's call center, as admitted by applicant on page 7, features a method for identify related information and resources. This method corresponds to the recited step of identifying a block of data within an electronic mail message, because Szlam's information includes e-mail.

Third, Szlam provides pointers to specify the location of information [column 14, lines 20-22]. Such information is related to sending or receipt of electronic mail messages [column 14, lines 39-40].

Fourth, Szlam discloses the storage of a Composite Call Object by a device which is in another physical location, such as in another state or even in another country [column 18, lines 53-56]. This device in this remote location corresponds to the claimed wireless data processing device.

Conclusion


THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patents 5,918,158, 5,959,543, 5,970,122, 5,974,300, and 6,014,429 to LaPorta et al all describe two-way wireless messaging systems, including a network for opening and tracking messages among various users, keeping a transaction open until a reply has been received every intended message recipient. U.S. Patents 6,134,432 and 6,178,331 to Holmes et al disclose systems and processes for allowing wireless messaging, allowing the user of a mobile phone to reply to the sender of an original electronic message by storing the address of the sender and matching it with the reply. U.S. Patent 6,178,461 to Chan describes a cache-based compaction technique, comparing similar objects available in both a client side cache and a server side cache. U.S. Patent 6,263,202 to Kato et al provides a wireless communication terminal device sending electronic mail messages coupled with objects related to emotion, tone, and dialect. U.S. Patent 6,314,089 to Szlam et al is related to the EP reference cited in the previous Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick G. Wamsley whose telephone number is (571) 272-1814. Send facsimiles to (703) 872-9306.


Patrick G. Wamsley

January 23, 2003